

REMARKS

The above supplemental amendment reflects an agreement reached between the Examiner and Applicants during a series of personal interviews, as summarized below. In this supplemental amendment, claims 239-246 are added

The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account No. 50-4494, and please credit any excess fees to the same deposit account.

Summary of Interviews

MAY 4, 2009

The prosecution of this application, along with all but two of Applicants' copending application, was suspended for several years pending the outcome of the appeal of Application Serial Nos. 08/470,571 and 08/487,526 and the reexamination proceedings of seven related patents. Applicants inquired into the status of these applications in January, 2009, as the current six-month suspension period expired. Applicants requested that the suspension of these applications not be renewed. The Office, through Supervisory Examiner David L. Ometz indicated that the suspensions would not be renewed and that prosecution would recommence. Applicants wish to thank Examiner David L. Ometz for the courtesy of the interview held on May 4, 2009 in which Applicants' representatives and the Examiners discussed an overall plan for examination of the remaining 110 applications which relate to this application and have a common chain of priority. Applicants were informed that the Patent and Trademark Office (PTO) was developing a plan to resume examination and that Applicants would be informed when the plan was in place.

JULY 22, 2009

Applicants were informed in July, 2009, that a team of examiners had been assembled to examine Applicants' copending applications. Applicants appreciate the courtesies extended to Applicants' Representatives in a meeting held July 22, 2009, with the examination team. In attendance at the meeting were Thomas J. Scott, Jr. and Carl L. Benson, of Goodwin Procter and the PTO personnel identified on the attached list. Applicants' representatives made a presentation to the Examiners in attendance in accordance with the attached agenda and provided the materials attached hereto to the Examiners for their consideration and use in the further examination of this application and the other application related to this application as identified in Tab 2 of the materials provided to the Examiners in the meeting. Applicants' representatives agreed to respond to any telephone inquiries or to be present for personal interview at the PTO in any circumstance where the Examiner believed such an interview would advance the prosecution of this application.

JULY-AUGUST 2010

During a personal interviews were held with Examiner Brian Q. Le and applicants' representatives on June 14, 2010, the Examiner provided the Applicants with proposed claim language to avoid the art of record. Applicants reviewed the proposed claim language and presented a revised proposal to the Examiner. The Examiner and Applicants came to an agreement regarding allowable subject matter and proposed claim language which is reflected in the new claim 239 presented above. The Examiner initially asserted that terminal disclaimer would be required to overcome a double patenting rejection over Applicants' issued U.S. Patent 5,887,243. Applicants proposed to further add the claim limitations setting forth that the mass medium programming presentation explains the significance of the generated mass medium programming information content. The Examiner agreed that this claim limitation is not suggested by the claims of the '243 Patent. Applicants also agreed to provide the Examiner with a table detailing specifications support for the claimed language, and a copy of the table is included herein as Appendix A.

Conclusion

In light of the above amendments and remarks, each of the claims in this application is patentable in light of the prior art. Accordingly, the Examiner is respectfully requested to issue an allowance of this application.

Dated: September 1, 2010

Respectfully submitted,

By Thomas J. Scott, Jr.
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